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December 2, 2022

VIA ECF and Email

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 18B
New York, New York 10007

*The draft PSR was provided to
counsel on Nov. 14. The final is
scheduled to be provided on
Dec. 12. This complies with
Rule 32. Application is
denied. Denise Cote
12/2/22*

Re: **United States v. Joseph Braddy**
22 Cr. 115 (DLC)

Dear Judge Cote:

Defense counsel respectfully submits this letter requesting an adjournment of Mr. Braddy's sentencing currently scheduled for Friday December 23, 2022, at 10:00 a.m. The government has no objection to this request. The purpose of this adjournment is twofold, 1) to allow more time to properly gather information relevant to mitigating factors to be weighed pursuant to 18 U.S.C. § 3553(a) and § 3661 respectively and 2) to review the final presentence report with the minimum required notice pursuant to 18 U.S.C. App. Fed. R. Crim. P. 32(e)(2). In reference to the first prong of this request, counsel is in communication with several people who are still drafting letters of support on behalf of Mr. Braddy. the expected time frame to have all the letters by is December 14, 2022. Regarding the second prong, Mr. Braddy's sentencing is 21 days away, which is less than the minimum required notice of 35 days pursuant to 18 U.S.C. App. Fed. R. Crim. P. 32(e)(2) to receive a final version of Mr. Braddy's presentence report. Once counsel receives the report, counsel will still need time to review the final version with Mr. Braddy, who is in custody, and to prepare Mr. Braddy's sentencing submission.

For the reasons stated above, and after conferring with the government and chambers regarding scheduling availability, counsel is requesting an adjournment to January 12, 2022, prior to 2:00 p.m., or January 13th after 1:00 p.m., in order to finalize Mr. Braddy's sentencing submission. This is Mr. Braddy's first request for an adjournment of his sentencing.

Thank you in advance for your consideration in this matter.

Respectfully submitted,

A handwritten signature of Carlos M. Santiago, Jr., in black ink.

Carlos M. Santiago, Jr.
Attorney for Mr. Braddy

cc: all parties (via ECF & email)